Supreme Court, U.S.
FILED
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No. _____

IN THE

Supreme Court OF United States

De Shen Petitioner

vs.

T.D. Waterhouse Investor Service Respondent

On Petition For Writ Of Certiorari To

US Court Of Appeals For The First Circuit

PETITION FOR WRIT OF CERTIORARI

De Shen

11 Summer Ave

Malden, MA 02148

(781) 324-3285

June 20, 2004

QUESTIONS PRESENTED

(1) Should Frauds be punished?
(2) If T.D. Waterhouse made a Fraud, should T.D. Waterhouse be punished?
(3) If NASD made a Fraud or Frauds, should NASD be punished?
(4) Since NASD is a second justice organization, if NASD violated the Law, made Frauds, should NASD be double punished?
(5) If a judge does not punish Frauds, is that judge ignoring his/her duty?
(6) If a judge in District Court made a mistake, but a judge or a panel of judges from Appeals Court does not correct his/her mistake, is that judge or that panel of judges from Appeals Court ignoring his/her/their duty?
(7) Are there any organizations or special roles in USA, such as T.D. Waterhouse or NASD, which are beyond (or not under restricted by) the US Constitution and US Laws?
(8) If judges in the District Court or US Court of Appeals made some misjudgments, what US people can do to correct their mistake?
(9) Should Court Reform be an urgent issue to evaluate those unqualified judges?

LIST OF PARTIES

(1) PETITIONER: De Shen

(2) RESPONDENT: T.D. Waterhouse Investor Service, Inc

(3) Judges in United States Court of Appeals for the First Circuit:

Levin H. Campbell;

Juan R. Torruella;

Bruce M. Selya

(4) Judge in United States District Court for the District of Massachusetts:

William G. Young

(5) Fraud Maker who are not listed as RESPONDENT:

Suzanne Green --- NASD arbitration administrator

Elizabeth R. Clancy --- NASD Associate Vice President and Regional Director

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Executive Order 13271 of July 9, 2002

IN THE

SUPPEME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

(1) Judgment without holding any hearing was entered on February 5, 2004 as follows:
This cause came on to be submitted on the briefs and original record on appeal from the United States District Court for the District of Massachusetts.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The judgment of the district court is affirmed. See Loc. R. 27(c).

De Shen's various motions requesting that this court hold a hearing with regarding to one of his claims of fraud and order sanctions against T.D. Waterhouse for "[c]ontinually [t]elling [l]ie[s]" are denied.

(2) Order of Court without holding any hearing entered on April 6, 2004 as follows:
The petition for rehearing is denied.

(3) In the Court Orders (Include Court Orders on April 6, 2004, and on June 18, 2004, see Appendices 12, 16), the judges (includes Levin H. Campbell, Juan R. Torruella, Bruce M. Selya) in United States Court of Appeals for the First Circuit are unable to answer the

Basic Questions in Appendices 11, 13, 14, 15, which imply they have the following Opinions:

(a) Frauds should NOT be punished;
(b) If T.D. Waterhouse made a Fraud, T.D. Waterhouse should NOT be punished;
(c) If NASD made a Fraud or Frauds, NASD should NOT be punished;
(d) Since NASD is a second justice organization, if NASD violated the Law, made Frauds, NASD should NOT be double punished;
(e) If a judge does not punish Frauds, that judge is NOT ignoring his/her duty;
(f) If a judge in District Court made a mistake, but a judge or a panel of judges from Appeals Court does not correct his/her mistake, that judge or that panel of judges from Appeals Court is NOT ignoring his/her/their duty.

Note: Levin H. Campbell, Juan R. Torruella, Bruce M. Selya do not have the courage to publish their opinions. But their judgment and orders (Appendices 10, 12, 16) indicates that they have the above opinions.

JURISDICTION

Bill of Rights
Executive Order 13271 of July 9, 2002
Federal Arbitration Act
15 U.S.C.A. §78a

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Bill of Rights --- Amendments 1-10 of the Constitution of United States Constitution

All people are created equal.
People should have the right of the freedom of speech.

STATEMENT OF THE CASE

In this case, the Petitioner exposed the serious frauds made by the Respondent and NASD arbitration administrator. Those frauds include "fraud on modifying arbitration hearing tape" and "fraud on violating the rules of the arbitration panel selection'. All those frauds were proved by the Petitioner in the process of appeals in the United States Court of Appeals for the first Circuit (See Appendix 4, 5, 6, 7, 8, 9). The Petitioner strongly believes that the above serious frauds should be punished. Mr. William Young (the judge of the US District Court for the District of Massachusetts), Levin H. Campbell, Juan R. Torruella, Bruce M. Selya (judges in United States Court of Appeals for the First Circuit) do not punish frauds is incorrect. 'Not punish frauds' is a corruption behavior. 'Not punish frauds' sends a wrong message to the fraud-makers. 'Not punish frauds' is equivalent to harbor the frauds.

The misjudgment made by Mr. William Young (the judge of the US District court for the District of Massachusetts), Levin H. Campbell, Juan R. Torruella, Bruce M. Selya (judges in United States Court of Appeals for the first Circuit) should be reviewed and corrected by the Supreme Court of United States.

The Petitioner once said, "I am holding a great flag, a flag of justice; a flag of fair; a flag of 'All people are created equal' ". The Petitioner hopes that our judges should uphold the same flag.

REASONS FOR GRANTING THE WRIT

This case started from a relatively minor issue (Trade Mistake). However, this case becomes a **serious** case due to the Frauds made by TD Waterhouse and NASD arbitration administrator during and after the arbitration.

In the process of appeals in the US Court of Appeals for the First Circuit, the Plaintiff has the opportunity to prove all those Frauds made by TD Waterhouse and NASD arbitration administrator:

(1) By asking critical questions in the Reply Brief of Plaintiff, and the Defendant failed to submit its Reply Brief, the Plaintiff successfully proved the NASD arbitration administrator's Fraud on "cooking (editing and modifying) the arbitration hearing tape" (See Appendix 1, 3, 4).

(2) By requesting Ms. Kelly Davis testimony on this Court and by using ***reductio ad absurdum*** approach, the Plaintiff successfully proved the "Fraud on violating the rules of arbitration panel selection" made by T.D. Waterhouse and NASD arbitration administrator; (See Appendix 5, 6, 7, 8).

(3) Also, by using ***reductio ad absurdum*** approach, the Plaintiff successfully proved that the Defendant Hire Lawyers to Lie and Perjury in Affidavit. (See Appendix 5, 6, 7, 8, 9).

The essential issue of this case is: People against Frauds. Our judges should stand with the People side, and punish the Frauds made by TD Waterhouse and NASD arbitration administrator.

The judgment of US Court of Appears entered on Feb. 5, 2004 is a misjudgment. Because it does not punish the Frauds

made by TD Waterhouse and NASD arbitration administration. This misjudgment is sending a wrong message to those fraud makers. This misjudgment encourage TD Waterhouse and NASD arbitration administration to make more frauds because the court is protecting them from be punished. 'Not punish frauds' is a corruption behavior. This misjudgment indicates that there might be serious corruptions in the US Court of Appears.

The judges were unable to answer Petitioner's six basic questions in any of the Court Orders (include Court Orders on April 6, 2004, and on June 18, 2004, see Appendices 12, 16), proved that they do not up-hold justice and US Constitution. (See Appendix 11, 13, 14, 15)

The court order of April 6, 2004 is another mistake. The court order state: "The petition for rehearing is denied."

However, the US Court of Appears for the First Circuit did NOT hold any hearing on this issue. Where is the word "rehearing" come from?

The judges in the US Court of Appears for the First Circuit did not hold a hearing for this serious case is ignoring their duty. The judges in the US Court of Appears for the First Circuit did not hold a hearing for this serious case is against the US Constitution. Denying holding a hearing is actually abridging the freedom of speech in the US Court of Appears for the First Circuit. It is directly against the first amendment of the US Constitution. Those judges took taxpayers money. But they do not work diligently for US people. Whether they are qualified as judges is now in a big question mark. (See Appendix 11, 13, 14, 15)

CONCLUTION

Frauds should be punished.

No one should be above the US Constitution and US Laws. The frauds made by T.D. Waterhouse and NASD arbitration administrator should be punished. Those frauds include "fraud on modifying arbitration hearing tape" and "fraud on violating the rules of the arbitration panel selection'. All those frauds are serious frauds.

The Petitioner has proved all those frauds made by T.D. Waterhouse and NASD arbitration administrator during the process of appeals in the US Court of Appeals.

Mr. William Young (Judge in the US District Court for the District of Massachusetts), and the judges in United States Court of Appeals for the First Circuit (includes Levin H. Campbell, Juan R. Torruella and Bruce M. Selya) do not punish frauds made by T.D. Waterhouse and NASD arbitration administrator are corruption behaviors. This issue indicates that those judges ignored their judge's duty and should be reviewed and corrected by the US Supreme Court.

Judges in United States Court of Appeals for the First Circuit (includes Levin H. Campbell, Juan R. Torruella and Bruce M. Selya) **deny holding a hearing for this case is directly against the Constitution of the United States.** It is directly against the Bill of Rights. Justice is truth in Action. Those judges, who do not ask Ms. Kelly Davis speak out the truth and then make judgment based on the truth, are violated basic judgment principle. All the above misjudgments should be reviewed and corrected by the US Supreme Court.